

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

| | | |
|---|---------------------------------|--|
| ADVANCEME, INC., Plaintiff, v. AMERIMERCHANT, LLC, Defendant. <hr/> | § § § § § § § | CIVIL CASE NO. 6:06-cv-82 (LED) JURY TRIAL DEMANDED |
|---|---------------------------------|--|

**[PROPOSED] ORDER DENYING DEFENDANT'S MOTION FOR
LEAVE TO AMEND ITS PRELIMINARY INVALIDITY CONTENTIONS**

On this day, the Court considered Defendant AmeriMerchant, LLC's Motion for Leave to Amend its Preliminary Invalidity Contentions. After careful consideration, the Court finds that Defendant has failed to prove that good cause exists for the amendment.

Accordingly, the Court hereby DENIES Defendant's Motion for Leave to Amend its Preliminary Invalidity Contentions.

Signed this ____ day of September, 2006

By: _____
The Honorable John David Love
United States District Court
Eastern District of Texas

[PROPOSED] ORDER DENYING DEFENDANT'S MOTION FOR
LEAVE TO AMEND ITS PRELIMINARY INVALIDITY
CONTENTIONS
LEGAL_US_W # 54470303.1

CASE NO. 6:06-CV-082 (LED)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION

ADVANCEME, INC.,
Plaintiff,

v.

AMERIMERCHANT, LLC,
Defendant.

§
§
§
§
§
§
§
§

CIVIL CASE NO. 6:06-cv-082 (LED)

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who have consented to electronic service are being served a copy of this document via the court's CM/ECF system per Local Rule CV-5(a)(3) on this the 25th day of September, 2006. Any other counsel of record will be served by first class mail on this same date.

/s/ Michael N. Edelman

Michael N. Edelman